

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

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|----------------------------|---|------------------|
| JOHNETTA LAVONNE ROWE, |) | |
| |) | |
| Plaintiff |) | |
| |) | |
| vs. |) | No. CIV-07-335-C |
| |) | |
| EMPLOYEES FOR THE STATE OF |) | |
| OKLAHOMA, et al., |) | |
| |) | |
| Defendants |) | |

ORDER ADOPTING REPORT AND RECOMMENDATION

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Robert E. Bacharach, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Bacharach entered a Report and Recommendation on April 25, 2007, to which Plaintiff has timely objected. The Court therefore considers the matter de novo.

In her objection to the Report and Recommendation, Plaintiff does not address the legal ground upon which Judge Bacharach bases his recommendation for dismissal, i.e., the expiration of the statute of limitations. Rather, she argues the merits of the allegedly illegal arrest. Judge Bacharach has accurately stated the relevant facts and fairly applied the appropriate law, and nothing in the objections of the Plaintiff presents any factual or legal argument upon which the Court could conclude to the contrary. In short, the statute of limitations bars the federal claim.

Accordingly, the Court adopts the Report and Recommendation of Judge Bacharach, in its entirety, and for the reasons stated therein, the federal claim, brought pursuant to 42 U.S.C. § 1983, is dismissed, with prejudice; the remaining supplemental state claims are dismissed, without prejudice. A judgment will enter accordingly.

IT IS SO ORDERED this 9th day of May, 2007.



ROBIN J. CAUTHRON
United States District Judge